



**MINUTES**  
**STATE BOARD OF NURSING**  
**FULL BOARD MEETING**  
**WEDNESDAY, APRIL 23, 2008**

**MEMBERS PRESENT:** SANDRA SUMMERS, RN, PRESIDENT; CANDACE BERARDINELLI, PHD, RN, VICE PRESIDENT; PEGGY BUNKE, RN, NP; LISA DAVIS, RN; SHARON PAPPAS, RN, PHD; BETTY WOLFE, LPN

**MEMBERS ABSENT:** VICTORIA BROERMAN, RN; JUDITH BURKE, RN, NP; AND DENNIS KAW; JD

**PRESIDING:** SANDRA SUMMERS, RN; PRESIDENT

**COUNSEL:** Y.E. SCOTT, ASSISTANT ATTORNEY GENERAL

**STAFF:** MARK MERRILL, PROGRAM DIRECTOR

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**1. CONVENE AND ROLL CALL (9:01 A.M.)**

Sandra Summers, RN, President, called the meeting to order and conducted a roll call of the Board members present. The Board members present introduced themselves to the audience.

**2. APPROVAL OF MINUTES (9:03 A.M.)**

After discussion, a Motion was made, seconded and carried to approve the minutes of the January 23, 2008 Full Board meeting as amended.

**3. PROGRAM DIRECTOR'S REPORT (9:11 A.M.)**

Mark Merrill, Program Director, gave a report to the Board regarding the following information and updates:

Director Merrill reported to the Board on his attendance at the National Council of State Boards of Nursing mid-year meeting in Chicago with President Sandra Summers. Director Merrill mentioned one of the topics discussed at the mid-year meeting pertained to licensure of Advanced Practice Nurses and that a national task force was examining the issue and recommend secondary licensure for Advanced Practice Nurses based on national certification.

Director Merrill informed the Board of his attendance at a meeting with Roberta Hills, Education Specialist and with Shannon St. Hilaire, Nurse Aide Program Inspector, at a meeting with a group of HHC representatives and the CDPHE to discuss revisions to a document on the CDPHE website that outlined and defined tasks for CNAs and PCPs in the home care setting.

Director Merrill reported to the Board of the continuing progress and meetings being held in relation to the proposed legislation changes during the Sunset review process in 2009 related to the continuation of regulation of Licensed Psychiatric Technicians. Director Merrill, and other Board staff,

including Ellen Graham, Policy Analyst, met with members of the Colorado Mental Health Institute – Pueblo, to continue the discussion and garner feedback related to the proposed changes.

Director Merrill informed the Board of his intention to initiate the Rulemaking process and to have a Rulemaking Hearing at the July Full Board meeting review the following rules: a propose new rules requiring mandatory reporting of all felony convictions to the Board of Nursing within forty-five days of conviction; Chapter XIV – *Rules and Regulations for Professional Nurses Qualified to Engage in Advanced Practice*; the Chapter XV – *Rules and Regulations for Prescriptive Authority for Advanced Practice Nurses*; and new proposed rules relating to Initial Decisions to help bring the Board of Nursing in-line with a standard approach across the Division of Registrations for those Boards who handle Initial Decisions.

Director Merrill informed the unlicensed persons cases which the Full Board normally reviewed would now be reviewed during the Open Session of both Panel meetings held monthly.

Director Merrill informed the Board that he was still in the process of looking for a Home Health Agency representative for the Nurse Aide Advisory Committee and that once found, he planned to present their application to the Board at the upcoming Panel meetings.

#### **4. MATTERS RELATING TO UNLICENSED PERSONS (9:27 A.M.)**

**Patricia A. Griggs**, case number **2008-002058**. The Board reviewed a Report of Investigation from Mary Kanaly, Investigator, and supporting documentation. After discussion, a Motion was made, seconded, and carried to issue a Cease and Desist Order, to file a notice of charges to the Division of Insurance, and to send a letter to United Health Care explaining that their employees must be licensed in Colorado to practice in Colorado.

#### **5. POLICY CHANGES (9:28 A.M.)**

1. Revised Policy 10-05 *English Competency Requirements for Licensure*. After discussion, a Motion was made, seconded and carried to adopt policy 10-05 as amended.
2. Proposed Policy 20-21 *Confidential Participation in the Nursing Peer Health Assistance or Nurse Alternative to Discipline Program*. After discussion, a Motion was made, seconded and carried to adopt policy 20-21 as amended.
3. Proposed Policy 10-06 *Continuing Competency Requirements for Psychiatric Technicians*. After discussion, a Motion was made, seconded and carried to adopt policy 10-06 as amended.

#### **6. RULEMAKING HEARING: CHAPTER I – RULES AND REGULATIONS FOR THE LICENSURE OF PRACTICAL AND PROFESSIONAL NURSES (9:33 A.M.)**

At 9:33 A.M. the Board convened a public Rulemaking Hearing published pursuant to notice in order to hear testimony and consider the proposed amendments to the Chapter I rules.

No written testimony by the public was received and reviewed by the Board prior to the Rulemaking Hearing.

Oral testimony was given by Hollie Campanella, RN of CACN – (Platte College Representative) on behalf of the CACN, which met in March, they offer their support of the proposed amendments to Chapter I in relation to NCLEX testing.

No staff testimony was given during the Hearing.

At 9:38 A.M. public testimony was concluded and the public hearing was closed. The Board entered into a work session in order to discuss proposed changes to the Chapter I rules.

At 9:50 A.M., a Motion was made, seconded and carried to table the final decision on the adoption of the rules as amended, pending receipt of additional information.

**7. BOARD OF NURSING, NURSE AIDE ADVISORY COMMITTEE, AND OFFICE OF THE ATTORNEY GENERAL REPORTS (9:52 A.M.)**

The Board reviewed and noted the case statistical reports for the first quarter (January 1 – March 31, 2008) of Application and Enforcement information for Nurse Aides and for Enforcement information for nursing.

**8. RECESS (9:53 A.M.)**

The Board took a fifteen minute recess and then reconvened the meeting at 10:16 A.M.

**9. OPEN FORUM (10:16 A.M.)**

Testimony was given to the Board by the following:

1. Jane Hartsock, RN, acting Director of Nursing at AIMS Community College informed the Board that she was leaving her position as DON at AIMS, and she thanked the Board for their support of her position and of AIMS Community College in the years they worked together.

**10. NURSING EDUCATION REPORTS (11:30 A.M.)**

Phase I Applications

Adams State College – BSN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase I Recognition.

Phase II Applications

National American University – ADN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to approve National American University's application, and to allow NAU to advanced to Phase III application process.

Mile High Academy – LPN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase II recognition based upon Mile High Academy's lack of accreditation.

**11. COLORADO NURSE HEALTH PROGRAM (CNHP) PRESENTATION (10:34 A.M.)**

Marjorie Derozier, RN, CACIII, CARN, CNHP Director, gave a short presentation titled "Demographics and Trends for Alternative to Discipline. The Board noted Ms. Derozier's presentation and thanked her for the information.

**12. "ADVANCED PRACTICE NURSES: KEEPING COLORADO STRONG"**

Fran Ricker, RN, MSN, CGRN, Executive Director, Colorado Nurses Association gave a video presentation regarding Advanced Practice Nursing in Colorado to the Board. The Board noted Ms. Ricker's presentation and thanked her for the information.

**16. LUNCH (12:00 P.M.)**

The Board recessed for lunch and reconvened at 12:34 P.M.

**14. NURSING EDUCATION REPORTS CONTINUED(11:30 A.M.)**

Phase IV Applications

Denver School of Nursing – RN BSN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase IV recognition based upon the Denver School of Nursing's lack of accreditation.

Denver School of Nursing – ADN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase IV recognition based upon the Denver School of Nursing's lack of accreditation.

Continuing Full Approval – Site Visits

Front Range Community College Westminster Campus – RN ADN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to accept site visit report and response from FRCC-Westminster and to allow time, not to exceed 1 year, for FRCC-Westminster to correct deficiencies outlined in Ms. Hills' report.

Restoration of Full Approval

Trinidad State Junior College – RN ADN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to restore continuing full approval to Trinidad State Junior College.

### NCLEX Pass Rates and Plan of Action Reports

Community College of Denver – RN ADN program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to accept the plan of action and to continue monitoring pass rates. If the May 2008 graduates of the Community College of Denver fall below 75% then the determination would be made by Ms. Hills if a site visit is needed.

Ms. Summers recused herself, left the room and did not participate in the discussion or vote on this education item. Time: 12:54 PM

Lamar Community College – RN ADN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to accept the plan of action.

Ms. Summers returned to the meeting. Time: 12:57 PM

Pueblo Community College RN ADN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to accept the plan of action and to continue monitoring pass rates.

University of Phoenix – LPN to BSN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to accept the plan of action. If the June 2008 graduates' pass rates fall below 75%, a site visit will be scheduled.

### Waiver Requests

Accent Learning Systems – LPN Program (Application expired January 24, 2008). The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist and waiver request from Accent Learning Systems to grant them an extension on their pending Phase I application. After discussion, a Motion was made, seconded and carried to deny Accent Learning System's request for a waiver of the application expiration date. Should Accent Learning Systems want to continue with the application process they would be required to submit a new Phase I application in its entirety.

AIMS Community College – The Board reviewed a waiver of the Director of Nursing Education Programs (DNEP) education background requirements of a MSN requesting that the Board allow Ms. Erika Greenberg to serve as interim DNEP at AIMS Community College with Ms. Audrey Bopp, RN, MSN, CNS, to serve as a mentor until August 1, 2008 at which time AIMS Community College was to have a new permanent DNEP in place or to submit another waiver request to Roberta Hills, Nursing Education Specialist to be presented to the Board at the July 30, 2008 Full Board meeting. After discussion, a Motion was made, seconded and carried to grant the waiver until the July 30, 2008 Full Board meeting and to re-examine the DNEP situation at AIMS Community College at that time.

### Educational Notes

The Board noted the application for LPN Phase I Recognition for American College, formerly known as, Ideal College expired January 24, 2008.

Colorado State University – RN BSN Program. The Board noted that CSU Pueblo RN BSN program was granted continuing NLNAC accreditation with conditions due to the program not currently

having a full compliment of faculty with graduate nursing credentials. The Board also noted a previously granted waiver of the graduate degree in nursing requirement for one of its faculty members.

**15. NURSE AIDE TRAINING PROGRAMS REPORTS (9:28 A.M.)**

The following decisions made by Shannon St. Hilaire, Nurse Aide Program Inspector, were ratified by the Board:

**I. Active Interim Approval:**

- 2/01/2008 – Estes Park Medical Center

**II. Recommended Full Approval:**

- 3/12/2008 – Estes Park Medical Center
- 3/17/2008 – Denver CNA Training School

**III. Continued Full Approval:**

- 1/31/2008 – Colorado Northwestern Community College
- 3/13/2008 – Cripple Creek Rehab & Wellness
- 3/13/2008 – Otero Junior College
- 3/13/2008 – AIMS Community College – Loveland
- 3/14/2008 – Western Colorado Community College – Med Prep
- 3/14/2008 – Front Range Community College – Westminster
- 3/14/2008 – Front Range Community College – Med Prep
- 3/25/2008 – Golden Harmony Home Health

**IV. Reactivated Continuing Approval**

- 1/29/2008 – Sedgwick County Hospital and Nursing Home

**V. Inactivated Programs**

- 1/16/2008 – Shalom Park
- 1/23/2008 – First Class Nurse Aides
- 3/10/2008 – CollegeAmerica – Ft. Collins Branch
- 3/13/2008 – Trinidad State Junior College
- 3/21/2008 – Reliable Home Health
- 3/25/2008 – Fairacres Manor
- 3/31/2008 – Colorado Mountain College – Spring Valley
- 3/31/2008 – Colorado Mountain College – Steamboat Springs

**VI. Suspended Until Compliant**

- 2/22/2008 – Oxford College

**VII. Suspension Removed – Program Compliant**

- 1/10/2008 – CNA Academy

**VIII. Pending Actions**

- 2/22/2008 – Oxford College
- 3/23/2008 – CNA Academy

There being no further business, the State Board of Nursing adjourned the meeting at 2:18 P.M.

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Sandra Summers, RN, President  
State Board of Nursing